DEPARTMENT OF THE ARMY
US ARMY MEDICAL RESEARCH AND MATERIEL COMMAND
504 SCOTT STREET
FORT DETRICK, MD 21702-5012

MCMR-AAP-A   19 December 2005

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Procurement Advisory Notice 06-04
Government-Provided Contractor Training

1. **Introduction.** This Procurement Advisory Notice addresses situations in which this Command will provide, pay for, or allow – at Government time and expense – Contractor training.

2. **General Rule.** Contractors are expected to have the skills to perform their contractual duties. If they must train to maintain the required skills, it is not to be done on Government time. Contractors are paid to perform a service – not to be trained.

3. **Conditions That Permit Contractor Training at Government Time or Expense.** There are two scenarios under which the Government can train its contractors.

   a. **Change in Technical Requirements**

   (1) **The Need for Uniform and Current Understanding.** If, during the course of a contract, the technical environment changes to a condition where those who are performing the mission, to include Contractors, must become immediately proficient in something not envisaged at the outset of the contract, the Government can absorb the cost of Contractor training. For example, during the course of the contract, either the market, or the Government, decides to go to a different "system." The Government can absorb the cost of Contractor personnel being trained on the new system. (Also, if conditions change and the Government insists on Contractor performance, the Contractor might be entitled to an "equitable adjustment" for the cost of training to continue performance under the changed conditions).

   (2) **The Determination for Contractor Training.** The Government "customer," or requiring activity, typically determines if its Contractors need this training.

   b. **Command Determination for Total Team Training**

   (1). **Training Affecting the Entire Workplace.** Determinations can be made, on a Command-wide basis (for all US Army Medical Research and Materiel Command (USAMRMC) or just for component organizations), that all persons executing the mission need certain non-technical training. This includes Contractors, who are a part of the Army team. This training would typically be in cases of matters such as safety, morale, and security. For example, it could be determined that all of those in the workplace need to be trained on the importance of creating an environment free from prejudice and harassment, or to recognize and react to the signs of a biological attack. If so, the training can be given to the Contractor personnel on the Government's time or at its expense.

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(2) **The Determination for Contractor Training**. The Command, at the USAMRMC level, or lower level, will make this determination in conjunction with the Principal Assistant Responsible for Contracting.

4. **The Manner of Contractor Training**. The Government can either provide the training itself, or pay the Contractor to obtain the training from non-Government sources. The training may be conducted on "contract time" (i.e., time for which the Contractor is paid by the Government) or "off the clock," for which the Government might be liable for any Contractor overtime or extra labor costs.

5. **Direction of Contractor Training**. Only the Contracting Officer can change a contract to address Contractor training. Also, depending on individual contract provisions, the Contracting Officer might not be able to "require" the Contractor to receive the training, i.e., it might have to be negotiated.

6. **The Cost of Contractor Training**. The cost of Contractor training is typically absorbed by the organization funding the contract.

7. **Point of Contact**. Raegon B. Clutz, Chief, Policy and Quality Assurance Branch, US Army Medical Research Acquisition Activity, 301-619-2395, AV 343-2395, or email raegon.clutz@det.amedd.army.mil.

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2